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PTO/SB/21 (02-04)

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

9

Application Number

10/736,800

Filing Date

December 15, 2003

First Named Inventor

Scott BLUM

Art Unit

3625

Examiner Name

Mark A. FODOK

Attorney Docket Number

30289-1010

ENCLOSURES (Check all that apply)



Fee Transmittal Form



Fee Attached



Amendment/Reply



After Final



Affidavits/declaration(s)



Extension of Time Request



Express Abandonment Request



Information Disclosure Statement



Certified Copy of Priority Document(s)



Response to Missing Parts/
Incomplete Application



Response to Missing Parts
under 37 CFR 1.52 or 1.53



Drawing(s)



Licensing-related Papers



Petition



Petition to Convert to a
Provisional Application



Power of Attorney, Revocation



Change of Correspondence Address



Terminal Disclaimer



Request for Refund



CD, Number of CD(s) _____



After Allowance communication
to Technology Center (TC)



Appeal Communication to Board
of Appeals and Interferences



Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)



Proprietary Information



Status Letter



Other Enclosure(s) (please
Identify below):

Amendment coversheet and return-receipt postcard.

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm
or
Individual name

Mitchell P. Brook (Reg. No. 32,967)
Luce, Forward, Hamilton & Scripps LLP

Signature

Date

December 6, 2005

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name

Amy M. Sheridan

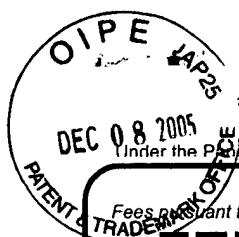
Signature

Date

December 6, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL

For FY 2005

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 125.00

Complete if Known

| | |
|----------------------|-------------------|
| Application Number | 10/736,800 |
| Filing Date | December 15, 2003 |
| First Named Inventor | Scott BLUM |
| Examiner Name | Mark A. FODOK |
| Art Unit | 3625 |
| Attorney Docket No. | 30289-1010 |

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____☒ Deposit Account Deposit Account Number: 50-2298 Deposit Account Name: Luce, Forward, Hamilton & Scripps LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

| Application Type | FILING FEES | | SEARCH FEES | | EXAMINATION FEES | | Fees Paid (\$) |
|------------------|-------------|-----------------------|-------------|-----------------------|------------------|-----------------------|----------------|
| | Fee (\$) | Small Entity Fee (\$) | Fee (\$) | Small Entity Fee (\$) | Fee (\$) | Small Entity Fee (\$) | |
| Utility | 300 | 150 | 500 | 250 | 200 | 100 | |
| Design | 200 | 100 | 100 | 50 | 130 | 65 | |
| Plant | 200 | 100 | 300 | 150 | 160 | 80 | |
| Reissue | 300 | 150 | 500 | 250 | 600 | 300 | |
| Provisional | 200 | 100 | 0 | 0 | 0 | 0 | |

2. EXCESS CLAIM FEES

| Fee Description | Fee (\$) | Small Entity Fee (\$) |
|---|----------|-----------------------|
| Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent | 50 | 25 |
| Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent | 200 | 100 |
| Multiple dependent claims | 360 | 180 |

| Total Claims | Extra Claims | Fee (\$) | Fee Paid (\$) | Multiple Dependent Claims | Fee (\$) | Fee Paid (\$) |
|---|-------------------|----------|---------------|---------------------------|----------|---------------|
| 35 | - 20 or HP = 5.00 | x 25.00 | = 125.00 | | | |
| HP = highest number of total claims paid for, if greater than 20 | | | | | | |
| Indep. Claims | Extra Claims | Fee (\$) | Fee Paid (\$) | | | |
| 5 | - 3 or HP = 0 | x 100.00 | = 0.00 | | | |
| HP = highest number of independent claims paid for, if greater than 3 | | | | | | |

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

| | | | | |
|--------------|--------------|--|----------|---------------|
| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof | Fee (\$) | Fee Paid (\$) |
| - 100 = | / 50 = | (round up to a whole number) x | | 0.00 |

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other: _____

SUBMITTED BY

| | | | |
|-------------------|-------------------|--|--------------------------|
| Signature | | Registration No. (Attorney/Agent) 32,967 | Telephone (858) 720-6300 |
| Name (Print/Type) | Mitchell P. Brook | Date | December 6, 2005 |

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Atty. Docket No.: 30289-1010

In re application of: Scott BLUM Serial No.: 10/736,800
Filed: December 15, 2003 Examiner: Mark A. FODOK
For: **DIGITAL CONTENT AND PRODUCT ORDERING APPARATUS
AND METHOD CYCLE**

Commissioner For Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

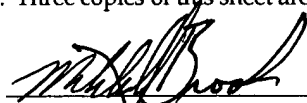
Transmitted herewith is an amendment in the above-identified application.

- ☐ No additional fee is enclosed because this application was filed prior to October 25, 1965 (effective date of Public Law 89-83).
☐ No additional fee is required.
☒ One stamped, self-addressed postcard for the PTO Mail Room date stamp.
☒ Additional Fee Required. Authorized to charge Deposit Account the appropriate fee as calculated below.

CLAIMS AS AMENDED

| (1) | (2) | (3) | (4) | (5) | (6) | (7) |
|--|---|-------|---------------------------------------|------------------|---------|-------------------|
| | CLAIMS REMAINING AFTER AMENDMENT | | HIGHEST NO. PREVIOUSLY PAID FOR | PRESENT EXTRA | RATE | ADDITIONAL FEE |
| TOTAL CLAIMS | 35 | minus | 30 | 5 | x \$25 | \$125.00 |
| INDEPENDENT CLAIMS | 5 | minus | 5 | 0 | x \$100 | \$0.00 |
| MULTIPLE DEPENDANT CLAIMS | <input type="checkbox"/> | | | | \$360 | \$ 0.00 |
| TOTAL ADDITIONAL FEE FOR THIS AMENDMENT | | | | | | \$0.00 |

- ☒ Charge \$125.00 to Deposit Account No. 50-2988. Three copies of this sheet are enclosed.
☒ Please charge any additional fees in connection with the filing of this communication, or credit overpayment, to Deposit Account No. 50-2988. Three copies of this sheet are enclosed.


Mitchell P. Brook
Attorney for Applicant(s)
Reg. No. 32,967

LUCE, FORWARD, HAMILTON & SCRIPPS LLP
11988 El Camino Real, Suite 200
San Diego, California 92130
Telephone No.: (858) 720-6300



Atty. Docket No. 30289-1010

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | | |
|-----------------------|---|-------------------|---------------|
| In re Application of: |) | Group Art Unit: | 3625 |
| Scott BLUM |) | | |
| Serial No.: |) | Examiner: | Mark A. FODOK |
| 10/736,800 |) | | |
| Filed: |) | Confirmation No.: | 4139 |
| December 15, 2003 |) | | |
| For: |) | | |
| DIGITAL CONTENT AND |) | | |
| PRODUCT ORDERING |) | | |
| APPARATUS AND METHOD |) | | |

San Diego, California
December 6, 2005

Mail Stop: AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

RESPONSE TO OFFICE ACTION

In response to an Office Action dated September 6, 2005 ("Office Action"), the following amendments and remarks are submitted for the Examiner's consideration.

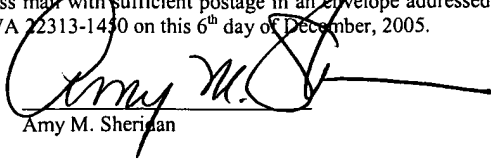
Amendments to the Claims begin on page 2 of this paper.

Remarks begin on page 9 of this paper.

CERTIFICATE OF MAILING

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Signature:


Amy M. Sheridan

12/08/2005 HVUONG1 00000100 502298 10736800

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